IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

PETITION NO.120 OF 2006

RE: Rajvadan Dattaram More ...Debtor

EX-PARTE :

Deveshwar Basabanand Sharma ...Ptg.Creditors

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None for Debtors.

Ms.K.A.Shah for Petitioning Creditors.

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CORAM: A.M.KHANWILKAR, J.

NOVEMBER 20, 2007.

P.C.

1. The present Petition is founded on the decree passed by the Court against debtors on 9th March 2005 in Suit No.4389 of 2001. As the debtors failed to pay the amount, Insolvency Notice No.N/148 of 2006 dated 23rd August 2006 was issued, which was duly served on the debtors on 13th September 2006. Inspite of service, debtors failed to pay the decretal amount. In that sense, act of insolvency was completed on 19th October 2006.

2. As the debtors failed to pay the amount or offer any explanation for non-payment, Petitioning Creditors have had no option but to take out the present action, which has been filed on 24th November 2006. The debtors have been duly served on 15th February 2007. Inspite of such service, none appears for the debtors. No reply has been filed. As no explanation has been offered on behalf of the debtors, Petition ought to succeed in terms of prayer clauses (a) and (b).

. Ordered accordingly.

A.M.KHANWILKAR, J.